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14 Attorneys for Plaintiffs  
15 Oracle Corporation, Oracle USA, Inc.,  
and Oracle International Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

20 ORACLE CORPORATION, a Delaware  
21 corporation, ORACLE USA, INC., a Colorado  
22 corporation, and ORACLE INTERNATIONAL  
CORPORATION, a California corporation.

Case No. 07-CV-01658 PJH (EDL)

## PROOF OF SERVICE

23 Plaintiffs,  
v.

24 SAP AG, a German corporation, SAP  
25 AMERICA, INC., a Delaware corporation,  
TOMORROWNOW, INC., a Texas corporation,  
26 and DOES 1-50, inclusive.

## 27 Defendants.

A/72728303.1/2021039-0000324170

Case No. 07-CV-01658 PJH (EDJ)

**PROOF OF SERVICE**

1 I am over eighteen years of age, not a party in this action, and employed in San  
2 Francisco County, California at Three Embarcadero Center, San Francisco, California 94111-  
3 4067. I am readily familiar with the practice of this office for collection and processing of  
4 correspondence for next business day delivery, and they are deposited that same day in the  
5 ordinary course of business.

6

7 **ORACLE'S OPPOSITION TO DEFENDANTS' FRCP**  
8 **12(B)(1) AND 12(B)(6) MOTION TO DISMISS PLAINTIFFS'**  
9 **CLAIMS FOR COPYRIGHT INFRINGEMENT,**  
10 **INTERERENCE WITH PROPSPECTIVE ECONOMOIC**  
11 **ADVANTAGE, BREACH OF CONTRACT, UNFAIR**  
12 **COMPETITION, AN ACCOUNTING AND UNJUST**  
13 **ENRICHMENT [UNREDACTED VERSION]**

14

15 **DECLARATION OF KEVIN MANDIA IN SUPPORT OF**  
16 **ORACLE'S OPPOSITION TO DEFENDANTS' FRCP**  
17 **12(B)(1) AND 12(B)(6) MOTION TO DISMISS**  
18 **[UNREDACTED VERSION]**

19

20 **DECLARATION OF CHAD RUSSELL IN SUPPORT OF**  
21 **ORACLE'S OPPOSITION TO DEFENDANTS' FRCP**  
22 **12(B)(1) AND 12(B)(6) MOTION TO DISMISS**  
23 **[UNREDACTED VERSION]**

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25  (OVERNIGHT DELIVERY) by causing a true and correct copy of the  
26 document(s) listed above to be delivered by Federal Express in sealed envelope(s)  
27 with all fees prepaid at the address(es) set forth below.

28

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20 Jason McDonell, Esq.	Jane L. Froyd, Esq.
21 Elaine Wallace	Jones Day
22 Jones Day	Silicon Valley Office
23 555 California Street, 26th Floor	1755 Embarcadero Road
24 San Francisco, CA 94104	Palo Alto, CA 94303

25

23 Scott W. Cowan, Esq.	
24 Joshua L. Fuchs, Esq.	
25 Jones Day	
26 717 Texas, Suite 3300	
27 Houston, TX 77002	

1 I declare that I am employed in the office of a member of the bar of this court at  
2 whose direction the service was made and that this declaration was executed on  
3 October 29, 2008, at San Francisco, California.

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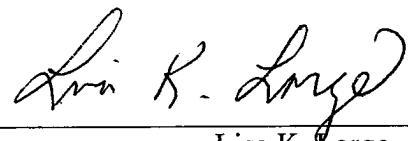
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By: 

Lisa K. Large